

## **EXHIBIT 3**

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NEW YORK

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BLACK LOVE RESISTS IN THE RUST, et al.,	:	
	:	
Plaintiffs,	:	Case No. 1:18-cv-00719-CCR
	:	
v.	:	
	:	
CITY OF BUFFALO, N.Y., et al.,	:	
	:	
Defendants.	:	
	:	
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**PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION**  
**TO DEFENDANT CITY OF BUFFALO, N.Y.**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, plaintiffs Black Love Resists in the Rust, Dorethea Franklin, Taniqua Simmons, De'Jon Hall, and Jane Doe (collectively, "Plaintiffs"), by their undersigned attorneys, hereby serve the following First Set of Requests for Production of Documents ("Requests") upon each defendant. Plaintiffs request that, within thirty (30) days of service of these Requests, or on a date mutually agreed to by the parties, each defendant make available for inspection and copying the Documents described in Schedule B, in accordance with the definitions and instructions set forth in Schedule A, at the offices of the Western New York Law Center, 237 Main Street, Suite 1130, Buffalo, NY 14203. Plaintiffs reserve the right to serve additional Requests as discovery progresses.

Dated: November 5, 2018

/s/ Claudia Wilner  
Marc Cohan  
Travis W. England  
Claudia Wilner

9. All Documents and Communications consulted or reviewed by the BPD in order to determine the physical location of each Checkpoint or group of Checkpoints, including any Documents and Communications referring or relating to strategy or other considerations in determining Checkpoint location.

10. All BPD Housing Unit Monthly and Weekly Statistics Reports.

11. All BPD Housing Unit Daily Reports, including but not limited to Daily Statistical Reports.

12. All BPD Strike Force Monthly and Weekly Statistics Reports.

13. All BPD Strike Force Unit Daily Reports.

14. All BPD Division of Traffic Enforcement Monthly and Weekly Statistics Reports.

15. All BPD Division of Traffic Enforcement Daily Reports.

16. All Documents and Communications containing statistical, demographic, or other information regarding the operation of Checkpoints by any part of the BPD, to the extent not already responsive to Requests 10 through 15.

17. All completed BPD Roadblock Directives.

18. All completed Traffic Safety Checkpoint Tally Sheets.

19. All other completed directives, tally sheets, and/or similar Documents and Communications discussing the date, time, location, and/or results of Checkpoints carried out by the BPD, to the extent not already responsive to Requests 17 and 18.

20. For each officer assigned to the Housing Unit, all activity reports and other Documents and Communications completed by Housing Unit Officers to record their enforcement activity (tickets, arrests, traffic stops) on a daily, weekly, monthly, quarterly, and annual basis.

21. For each officer assigned to the Strike Force, all activity reports and other Documents and Communications completed by Strike Force Officers to document their enforcement activity (tickets, arrests, traffic stops) on a daily, weekly, monthly, quarterly, and annual basis.

22. All Documents and Communications concerning the procedures, information, and criteria used to evaluate the performance of Housing Unit and Strike Force officers.

23. For each officer assigned to the Housing Unit and/or Strike Force, copies of all monthly, quarterly and annual performance evaluations of that officer conducted while he or she was assigned to the Housing Unit and/or Strike Force.

24. Electronic or computerized data compilations sufficient to show for each Checkpoint conducted by the BPD:

- a. The number of license plates checked, by an automated license plate reader or otherwise, at the Checkpoint;
- b. The unit or division within BPD that conducted the Checkpoint;
- c. The date, time, duration and Location of the Checkpoint;
- d. The number of Persons selected for a secondary stop at the Checkpoint and the race, ethnicity, national origin, and any other demographic data recorded for each such Person;
- e. The number of Persons who received a Traffic Ticket at the Checkpoint, the number of tickets each such Person received, and the race, ethnicity, national origin, and any other demographic data recorded for each such Person;

- f. The number of firearms confiscated at the Checkpoint and the race, ethnicity, national origin, and any other demographic data recorded for each such Person;
- g. The number of Persons arrested for a traffic misdemeanor at the Checkpoint and the race, ethnicity, national origin, and any other demographic data recorded for each such Person;
- h. The number of Persons arrested for a non-traffic misdemeanor at the Checkpoint and the race, ethnicity, national origin, and any other demographic data recorded for each such Person;
- i. The number of Persons arrested for a felony at the Checkpoint and the race, ethnicity, national origin, and any other demographic data recorded for each such Person;
- j. The number of vehicles towed following a stop at the Checkpoint, the reason for towing the vehicle, and the race, ethnicity, national origin, and any other demographic data recorded for the driver of each such vehicle;
- k. The number of vehicles impounded following a stop at the Checkpoint, the reason for impoundment, and the race, ethnicity, national origin, and any other demographic data recorded for the driver of each such vehicle;
- l. The number of vehicles released from impound following a stop at the Checkpoint and the race, ethnicity, national origin, and any other demographic data recorded for each Person whose vehicle was released following a stop at the Checkpoint; and

- m. The number of vehicles auctioned following a stop at the Checkpoint and the race, ethnicity, national origin, and any other demographic data recorded for each Person whose vehicle was auctioned following a stop at the Checkpoint.

25. Electronic or computerized data compilations sufficient to show for each and every Traffic Ticket issued and/or traffic-related arrest:

- a. The identity of the person(s) stopped, ticketed or arrested (names may be anonymized but stops, tickets, and arrests must be traceable at the individual level);
- b. The identity of the officer issuing the ticket or arrest (Name, Unit, and Badge Number);
- c. The date, time, and Location of the stop giving rise to the ticket or arrest;
- d. Whether the stop occurred at a Checkpoint;
- e. The race of the person(s) stopped, ticketed, or arrested;
- f. The gender of the person(s) stopped, ticketed, or arrested;
- g. The age of the person(s) stopped, ticketed, or arrested;
- h. All VTL and/or City of Buffalo Municipal Code violations for which the person was ticketed and/or arrested;
- i. All misdemeanor, traffic misdemeanor, and felony arrests made as a result of the stop, including the specific provision(s) forming the basis for the arrest;
- j. All weapons seized as a result of the stop, including the nature of the weapon;
- k. The total amount of cash seized as a result of the stop;

26. Copies of all Traffic Tickets issued by the BPD.